

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

-----X  
LOCAL NO. 38 INTERNATIONAL BROTHERHOOD  
OF ELECTRICAL WORKERS PENSION FUND,  
on behalf of itself and all others similarly situated,  
Plaintiff,

-against-

AMERICAN EXPRESS COMPANY, et al.,  
Defendants.  
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USDC SDNY  
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DATE FILED: 7/22/10

09 CIVIL 3016 (WHP)

**JUDGMENT**

Defendants having moved to dismiss the Consolidated Class Action Complaint pursuant to Fed. R. Civ. P. 12(b)(6), and the matter having come before the Honorable William H. Pauley III, United States District Judge, and the Court, on July 19, 2010, having rendered its Memorandum and Order granting defendants' motion to dismiss and dismissing the Consolidated Class Action Complaint, it is,


**ORDERED, ADJUDGED AND DECREED:** That for the reasons stated in the Court's Memorandum and Order dated July 19, 2010, defendants' motion to dismiss is granted and the Consolidated Class Action Complaint is dismissed; accordingly, the case is closed.

**Dated:** New York, New York  
July 22, 2010

**RUBY J. KRAJICK**

\_\_\_\_\_  
Clerk of Court

BY:

  
\_\_\_\_\_  
Deputy Clerk

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